

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

CHARLES MILLER, CHARLES MILLER
IRA, and CHARLES AND RUTHELLEN
MILLER, Individually And On Behalf Of All
Others Similarly Situated,

Plaintiffs,

v.

GLOBAL INDUSTRIES LTD, JOHN A.
CLERICO, EDGAR G. HOTARD, EDWARD P.
DJEREJIAN, LAWRENCE R. DICKERSON,
RICHARD A. PATTAROZZI, CHARLES O.
BUCKNER, LARRY EARL FARMER,
CHARLES R. ENZE, JOHN B. REED JR., and
APOLLON MERGER SUB B, INC.

Defendants.

Case No. 4:11-cv-03625

Motion to Dismiss With Prejudice

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, CHARLES MILLER, CHARLES MILLER IRA, and CHARLES AND
RUTHELLEN MILLER, Individually and On Behalf of All Others Similarly Situated, Plaintiffs,
and files this Motion to Dismiss With Prejudice, and for said Motion would show unto this
Honorable Court as follows:

I.

The Plaintiffs previously filed a demand for injunctive relief and for class and derivative
action against Defendants, Global Industries and its Board of Directors.

II.

Plaintiffs no longer wish to pursue said cause of action against Defendants, and request that the Court enter an Order dismissing Movants' cause of action against Defendants, Global Industries and its Board of Directors.

WHEREFORE, Plaintiffs pray that the Court grant their Motion to Dismiss With Prejudice and enter an Order dismissing his claims With prejudice against Defendants, Global Industries and its Board of Directors.

Respectfully submitted,

BROTHERS, SEPULVEDA & ALVARADO, P.C.

By: Karen M. Alvarado
Karen M. Alvarado
State Bar No. 11067050
kalvarado@brothers-law.com
Two Memorial City Plaza
820 Gessner, Suite 1075
Houston, Texas 77024
(713) 337-0750
Fax: (713) 337-0760

FARUQI & FARUQI, LLP
Juan E Monteverde
Shane Rowley
369 Lexington Ave., 10th Floor
New York, New York 10017
(212) 983-9330
Fax: (212) 983-9331

Attorneys for Plaintiff